

survive, especially from adversaries like China. Congress and the rest of the Federal Government should do what we can do to boost domestic production in medicine and medical supplies. It has to be done. We can't wait.

Along with essential goods like fuel and critical minerals, pharmaceuticals are vital to national security. We cannot allow our adversaries to hold their supplies over our heads as a bargaining tool, and that is exactly what they are doing as we speak.

I hope my time on the floor today has opened some eyes to the children's medical shortage. The dangers of foreign independence are getting worse every day.

To every parent in Alabama and across our country, we are listening, and we want you to listen to the advice of your doctors. Always check with medical professionals before giving your children any medicine, and hopefully, in the near future, this body can help solve this problem and move our suppliers from international to domestic.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDING TITLE VI OF THE SOCIAL SECURITY ACT TO ALLOW STATES AND LOCAL GOVERNMENTS TO USE CORONAVIRUS RELIEF FUNDS PROVIDED UNDER THE AMERICAN RESCUE PLAN ACT FOR INFRASTRUCTURE PROJECTS, IMPROVE THE LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND, PROVIDE TRIBAL GOVERNMENTS WITH MORE TIME TO USE CORONAVIRUS RELIEF FUND PAYMENTS

Mr. CORNYN. Madam President, over the last few years, pandemic relief bills have sent billions of dollars to State and local governments to support their pandemic responses and recoveries, and it is appropriate that we did so. But the truth is, when the pandemic hit, we didn't know how long it would last or what the ripple effects of that would be, both the public health and economic impacts on State and local governments and the constituencies that they serve.

I have heard from countless Texas leaders that they have more money than eligible expenses under the guardrails Congress applied at the time, and my colleagues can attest to the fact that this is not a unique problem to Texas. States, counties, and cities across the country want more flexibility to spend these relief dollars on their highest priority projects, especially infrastructure. If we don't do this, these jurisdictions are going to fritter these dollars away on things that will not have a lasting, positive impact on our economy or public safety. An investment in infrastructure will be an investment in public safety and a growing economy.

My friend Senator PADILLA from California and I have worked with the administration and our colleagues on both sides of the aisle in order to come up with a bill that would grant this flexibility. This bill originally passed the Senate unanimously last October. You know, people sometimes think that we can't get along, that we can't get anything done, but when big things happen, sometimes they happen without people even recognizing it. That demonstrates not only the bipartisan nature of this legislation but the fact that it just makes good sense.

Unfortunately, the House never passed our bill. We have now worked in good faith to build the kind of support necessary among House Members and House leadership in order to get that done, and I hope the Senate will advance this new version today.

Simply put, this legislation will unlock billions of dollars in unspent COVID funds for infrastructure projects as well as disaster relief. It restores decision-making power to the local level, and this is unique to spending bills in Washington, DC—this will not result in a single dollar of additional appropriations or a single dollar added to the deficit. This money is already in the hands of the States, the counties, and the cities; they just need more flexibility to spend it in a way that makes sense to them.

If I could just add as a quick footnote before deferring to my colleagues, a lot of times when we have disasters or we want to do something big for the country, we pass legislation, but it takes years to implement. Part of the problem is getting the money from Washington, DC, down to those local jurisdictions, among other things. Well, this will expedite these infrastructure projects and disaster relief because they already have it in hand.

I just want to say publicly how much I appreciate Senator PADILLA and his staff, Senator MURKOWSKI and her staff, and Senator TESTER and his staff for working with us on this legislation.

Again, this makes so much sense that it passed unanimously previously, and now we have worked out the differences with the House. With any luck, we will get this to the President without further delay. We have benefited from feedback from countless Members on both sides of the aisle, and I hope we can finally grant our State and local leaders the flexibility that they have requested to spend these dollars in a way that makes the most sense according to their priorities.

The PRESIDING OFFICER. The Senator from California.

Mr. PADILLA. Madam President, I rise today, alongside my colleague, the senior Senator from Texas, to speak in support of our bipartisan effort to continue to give States, local, Tribal, and territorial governments the support they need as they continue to recover from the COVID-19 pandemic.

While no corner of the United States was untouched by COVID, we also

know that every town and, frankly, every Tribe, every city, every State, and every local community was impacted in a different way. As a result, they have different, specific needs for that recovery.

Over the last 2 years, Congress has provided critical lifelines to communities across the country that are trying to get through the pandemic and begin to rebuild, but today, almost 3 years since the start of the pandemic in the United States, there is still more we can and should do to help tailor the Federal resources that we have previously approved to better fit each local community and give them the tools they need to address their most pressing local needs.

At its core, this bill is about flexibility and empowering local governments that are closest to the people—flexibility for State and local governments to use their fiscal recovery dollars as strategically, as effectively, and as efficiently as possible; flexibility for the Treasury Department to continue to implement critical assistance for communities that need it; flexibility for counties and Tribes that host our Nation's public lands.

As Senator CORNYN mentioned, this bill is the result of a long bipartisan effort that has involved many of our colleagues on both sides of the aisle, on both sides of the Capitol.

I particularly want to thank Senator CORNYN and his excellent staff for their hard work as well. I thank Senator TESTER, Senator MURKOWSKI, and others involved in getting us to this point. I urge my colleagues to join us in supporting this measure.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I want to start by echoing Senator PADILLA in thanking Senator CORNYN from Texas, Senator PADILLA from California, and Senator MURKOWSKI from Alaska for working on this important issue.

This is a place where oftentimes common sense tends to take a leave of absence. This is a great example of a commonsense bill wherein folks have come together on both sides of the aisle to address challenges that are facing our local governments.

Earlier this month, Senator MURKOWSKI and I introduced our Local Assistance Fairness Act. This bill fixes an error in the American Rescue Plan's Local Assistance and Tribal Consistency Fund that has prevented consolidated local governments from accessing this critical funding. Back in Montana, this has impacted two of our counties and municipalities—Butte-Silver Bow and Anaconda-Deer Lodge. Both of these counties can use this help. This legislation will help them continue to keep folks safe, improve infrastructure, and lay the groundwork for bringing good-paying jobs to the region.

I appreciate my friends from Texas and California and Senator MURKOWSKI

for including this bill in the Cornyn-Padilla bill.

We thank you very much for that.

I look forward to getting this to the President's desk for his signature.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 5323, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 5323) to amend title VI of the Social Security Act to allow States and local governments to use coronavirus relief funds provided under the American Rescue Plan Act for infrastructure projects, improve the Local Assistance and Tribal Consistency Fund, provide Tribal governments with more time to use Coronavirus Relief Fund payments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CORNYN. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 5323) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 5323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act".

SEC. 2. AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.), as amended by section 40909 of the Infrastructure Investment and Jobs Act, is amended—

(1) in section 602—

(A) in subsection (a)(1), by inserting "(except as provided in subsection (c)(5))" after "December 31, 2024"; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking "paragraph (3)" and inserting "paragraphs (3), (4), and (5)";

(II) by amending subparagraph (C) to read as follows:

"(C) for the provision of government services up to an amount equal to the greater of—

"(i) the amount of the reduction in revenue of such State, territory, or Tribal government due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency; or

"(ii) \$10,000,000;";

(III) in subparagraph (D), by striking the period at the end and inserting "; or"; and

(IV) by adding at the end the following new subparagraph:

"(E) to provide emergency relief from natural disasters or the negative economic impacts of natural disasters, including tem-

porary emergency housing, food assistance, financial assistance for lost wages, or other immediate needs."; and

(ii) by adding at the end the following new paragraph:

"(5) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

"(A) IN GENERAL.—Subject to subparagraph (C), notwithstanding any other provision of law, a State, territory, or Tribal government receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B), including, to the extent consistent with guidance or rules issued by the Secretary or the head of a Federal agency to which the Secretary has delegated authority pursuant to subparagraph (C)(iv)—

"(i) in the case of a project eligible under section 117 of title 23, United States Code, or section 5309 or 6701 of title 49, United States Code, to satisfy a non-Federal share requirement applicable to such a project; and

"(ii) in the case of a project eligible for credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

"(I) to satisfy a non-Federal share requirement applicable to such a project; and

"(II) to repay a loan provided under such program.

"(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

"(i) A project eligible under section 117 of title 23, United States Code.

"(ii) A project eligible under section 119 of title 23, United States Code.

"(iii) A project eligible under section 124 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

"(iv) A project eligible under section 133 of title 23, United States Code.

"(v) An activity to carry out section 134 of title 23, United States Code.

"(vi) A project eligible under section 148 of title 23, United States Code.

"(vii) A project eligible under section 149 of title 23, United States Code.

"(viii) A project eligible under section 151(f) of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

"(ix) A project eligible under section 165 of title 23, United States Code.

"(x) A project eligible under section 167 of title 23, United States Code.

"(xi) A project eligible under section 173 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

"(xii) A project eligible under section 175 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

"(xiii) A project eligible under section 176 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

"(xiv) A project eligible under section 202 of title 23, United States Code.

"(xv) A project eligible under section 203 of title 23, United States Code.

"(xvi) A project eligible under section 204 of title 23, United States Code.

"(xvii) A project eligible under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

"(xviii) A project eligible for credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

"(xix) A project that furthers the completion of a designated route of the Appalachian Development Highway System under section 14501 of title 40, United States Code.

"(xx) A project eligible under section 5307 of title 49, United States Code.

"(xxi) A project eligible under section 5309 of title 49, United States Code.

"(xxii) A project eligible under section 5311 of title 49, United States Code.

"(xxiii) A project eligible under section 5337 of title 49, United States Code.

"(xxiv) A project eligible under section 5339 of title 49, United States Code.

"(xxv) A project eligible under section 6703 of title 49, United States Code, as added by the Infrastructure Investment and Jobs Act.

"(xxvi) A project eligible under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

"(xxvii) A project eligible under the bridge replacement, rehabilitation, preservation, protection, and construction program under paragraph (1) under the heading 'HIGHWAY INFRASTRUCTURE PROGRAM' under the heading 'FEDERAL HIGHWAY ADMINISTRATION' under the heading 'DEPARTMENT OF TRANSPORTATION' under title VIII of division J of the Infrastructure Investment and Jobs Act.

"(C) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

"(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

"(I) IN GENERAL.—The total amount that a State, territory, or Tribal government may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

"(aa) \$10,000,000; and

"(bb) 30 percent of such payment.

"(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

"(ii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xx) through (xxiv) of subparagraph (B).

"(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise determined by the Secretary or the head of a Federal agency to which the Secretary has delegated authority pursuant to clause (iv) or provided in this section—

"(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used pursuant to subparagraph (A) for a project described in clause (xxvi) of subparagraph (B) that relates to broadband infrastructure;

"(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall apply to funds provided under a payment made under this section that are used for projects described in subparagraph (B); and

"(III) a State government receiving a payment under this section may use funds provided under such payment for projects described in clauses (i) through (xxvii) of subparagraph (B), as applicable, that—

"(aa) demonstrate progress in achieving a state of good repair as required by the State's asset management plan under section 119(e) of title 23, United States Code; and

"(bb) support the achievement of 1 or more performance targets of the State established under section 150 of title 23, United States Code.

"(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

"(v) SUPPLEMENT, NOT SUPPLANT.—Amounts from a payment made under this section that are used by a State, territory, or Tribal government for uses described in subparagraph (A) shall supplement, and not supplant, other Federal, State, territorial,

Tribal, and local government funds (as applicable) otherwise available for such uses.

“(D) REPORTS.—The Secretary, in consultation with the Secretary of Transportation, shall provide periodic reports on the use of funds by States, territories, and Tribal governments under subparagraph (A).

“(E) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.”; and

(2) in subsection 603—

(A) in subsection (a), by inserting “(except as provided in subsection (c)(6))” after “December 31, 2024”; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “paragraphs (3) and (4)” and inserting “paragraphs (3), (4), (5), and (6)”; and

(II) by amending subparagraph (C) to read as follows:

“(C) for the provision of government services up to an amount equal to the greater of—

“(i) the amount of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county to the emergency; or

“(ii) \$10,000,000;”;

(III) in subparagraph (D), by striking the period at the end and inserting “; or”; and

(IV) by adding at the end the following new subparagraph:

“(E) to provide emergency relief from natural disasters or the negative economic impacts of natural disasters, including temporary emergency housing, food assistance, financial assistance for lost wages, or other immediate needs.”; and

(ii) by adding at the end the following new paragraph:

“(6) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B) of section 602(c)(5), including, to the extent consistent with guidance or rules issued by the Secretary or the head of a Federal agency to which the Secretary has delegated authority pursuant to subparagraph (B)(iv)—

“(i) in the case of a project eligible under section 117 of title 23, United States Code, or section 5309 or 6701 of title 49, United States Code, to satisfy a non-Federal share requirement applicable to such a project; and

“(ii) in the case of a project eligible for credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

“(I) to satisfy a non-Federal share requirement applicable to such a project; and

“(II) to repay a loan provided under such program.

“(B) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

“(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

“(I) IN GENERAL.—The total amount that a metropolitan city, nonentitlement unit of local government, or county may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

“(aa) \$10,000,000; and

“(bb) 30 percent of such payment.

“(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

“(ii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xx) through (xxiv) of section 602(c)(5)(B).

“(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise determined by the Secretary or the head of a Federal agency to which the Secretary has delegated authority pursuant to clause (iv) or provided in this section—

“(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used pursuant to subparagraph (A) for a project described in clause (xxvi) of section 602(c)(5)(B) that relates to broadband infrastructure; and

“(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall apply to funds provided under a payment made under this section that are used for projects described in section 602(c)(5)(B).

“(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

“(v) SUPPLEMENT, NOT SUPPLANT.—Amounts from a payment made under this section that are used by a metropolitan city, nonentitlement unit of local government, or county for uses described in subparagraph (A) shall supplement, and not supplant, other Federal, State, territorial, Tribal, and local government funds (as applicable) otherwise available for such uses.

“(C) REPORTS.—The Secretary, in consultation with the Secretary of Transportation, shall provide periodic reports on the use of funds by metropolitan cities, nonentitlement units of local government, or counties under subparagraph (A).

“(D) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.”.

(b) TECHNICAL AMENDMENTS.—Sections 602(c)(3) and 603(c)(3) of title VI of the Social Security Act (42 U.S.C. 802(c)(3), 803(c)(3)) are each amended by striking “paragraph (17) of”.

(c) GUIDANCE AND EFFECTIVE DATE.—

(1) GUIDANCE OR RULE.—Within 60 days of the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Transportation, shall issue guidance or promulgate a rule to carry out the amendments made by this section, including updating reporting requirements on the use of funds under this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the issuance of guidance or the promulgation of a rule described in paragraph (1).

(d) DEPARTMENT OF THE TREASURY ADMINISTRATIVE EXPENSES.—

(1) REDUCTION OF FUNDS AVAILABLE FOR ADMINISTRATIVE EXPENSES.—Title IV of division A of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) is amended—

(A) in section 4003(f), by striking “\$100,000,000” and inserting “\$1,000,000”; and

(B) in section 4112(b), by striking “\$100,000,000” and inserting “\$67,000,000”.

(2) AUTHORITY.—Notwithstanding any other provision of law, the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this subsection as the “Secretary”) for administrative expenses pursuant to the provisions specified in paragraph (3) shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for the purpose described in paragraph (4) (subject to the limitation in such paragraph) and for administrative expenses of the Department of the Treasury, except for the Internal Revenue Service, determined by the Secretary to be necessary to respond to the coronavirus emergency, including any expenses necessary to implement any provision of—

(A) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136);

(B) division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260);

(C) the American Rescue Plan Act (Public Law 117-2); or

(D) title VI of the Social Security Act (42 U.S.C. 801 et seq.).

(3) PROVISIONS SPECIFIED.—The provisions specified in this paragraph are the following:

(A) Amounts made available under section 4027(a) of the Coronavirus Aid, Relief, and Economic Security Act (15 U.S.C. 9061(a)) to pay costs and administrative expenses under section 4003(f) of such Act (15 U.S.C. 9042(f)) and amounts made available by section 4120(a) of the Coronavirus Aid, Relief, and Economic Security Act (15 U.S.C. 9080) to pay costs and administrative expenses under section 4112(b) of such Act (15 U.S.C. 9072(b)) (after application of the amendments made by paragraph (1) of this subsection).

(B) Section 421(f)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

(C) Sections 3201(a)(2)(B), 3206(d)(1)(A), and 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117-2).

(D) Section 602(a)(2) of the Social Security Act (42 U.S.C. 802(a)(2)).

(4) PAYMENTS TO ELIGIBLE REVENUE SHARING CONSOLIDATED GOVERNMENTS.—Of amounts made available under paragraph (2), up to \$10,600,000 shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for making payments to eligible revenue sharing consolidated governments under subsection (g) of section 605 of the Social Security Act (42 U.S.C. 805), as added by section 3 of this Act.

SEC. 3. ALLOWING PAYMENTS TO ELIGIBLE REVENUE SHARING CONSOLIDATED GOVERNMENTS FROM LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND.

(a) IN GENERAL.—Section 605 of the Social Security Act (42 U.S.C. 805) is amended by adding at the end the following new subsection:

“(g) PAYMENTS TO ELIGIBLE REVENUE SHARING CONSOLIDATED GOVERNMENTS.—

“(1) PAYMENTS TO ELIGIBLE REVENUE SHARING CONSOLIDATED GOVERNMENTS FOR FISCAL YEARS 2023 AND 2024.—The Secretary shall allocate and pay to each eligible revenue sharing consolidated government for each of fiscal years 2023 and 2024 an amount equal to the amount that the Secretary would have allocated to such eligible revenue sharing consolidated government for fiscal year 2022 if all eligible revenue sharing consolidated governments had been treated as eligible revenue sharing counties for purposes of being eligible for payments under subsection (b)(1) for such fiscal year using the allocation methodology adopted by the Department of

the Treasury for such eligible revenue sharing counties as of the date of enactment of this subsection.

“(2) FUNDING FOR PAYMENTS.—

“(A) **IN GENERAL.**—The Secretary shall make the allocations and payments described in paragraph (1) from the amounts described in subparagraph (B), which shall be available to the Secretary for such purpose notwithstanding any other provision of law.

“(B) **AMOUNTS DESCRIBED.**—The amounts described in this subparagraph are the following:

“(i) Any amount allocated to an eligible revenue sharing county under subsection (b)(1) for fiscal year 2022 or 2023 that, as of January 31, 2023, has not been requested by such county.

“(ii) Amounts made available to the Secretary under section 2(d)(4) of the State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act.”.

(b) **CONFORMING AMENDMENTS.**—Section 605 of the Social Security Act (42 U.S.C. 805), as amended by subsection (a), is further amended—

(1) in subsection (a), by inserting “, subject to subsection (g),” after “obligated”;

(2) in subsection (c), by striking “or an eligible Tribal government” and inserting “, an eligible Tribal government, or an eligible revenue sharing consolidated government”;

(3) in subsections (d) and (e), by inserting “or eligible revenue sharing consolidated government” after “eligible revenue sharing county” each place it appears; and

(4) in subsection (f)—

(A) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

“(1) **ELIGIBLE REVENUE SHARING CONSOLIDATED GOVERNMENT.**—The term ‘eligible revenue sharing consolidated government’ means a county, parish, or borough—

“(A) that has been classified by the Bureau of the Census as an active government consolidated with another government; and

“(B) for which, as determined by the Secretary, there is a negative revenue impact due to implementation of a Federal program or changes to such program.”.

SEC. 4. EXTENSION OF AVAILABILITY OF CORONAVIRUS RELIEF FUND PAYMENTS TO TRIBAL GOVERNMENTS.

Section 601(d)(3) of the Social Security Act (42 U.S.C. 801(d)(3)) is amended by inserting “(or, in the case of costs incurred by a Tribal government, during the period that begins on March 1, 2020, and ends on December 31, 2022)” before the period.

SEC. 5. RESCISSION OF CORONAVIRUS RELIEF AND RECOVERY FUNDS DECLINED BY STATES, TERRITORIES, OR OTHER GOVERNMENTAL ENTITIES.

Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended by adding at the end the following new section:

“SEC. 606. RESCISSION OF FUNDS DECLINED BY STATES, TERRITORIES, OR OTHER GOVERNMENTAL ENTITIES.

“(a) **RESCISSION.**—

“(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), if a State, territory, or other governmental entity provides notice to the Secretary of the Treasury in the manner provided by the Secretary of the Treasury that the State, territory, or other governmental entity intends to decline all or a portion of the amounts that are to be awarded to the State, territory, or other governmental entity from funds appropriated under this title, an amount equal to the unaccepted amounts or portion of such amounts allocated by the Secretary of the Treasury as of the date of such notice that would have been awarded to

the State, territory, or other governmental entity shall be rescinded from the applicable appropriation account.

“(2) **EXCLUSION.**—Paragraph (1) shall not apply with respect to funds that are to be paid to a State under section 603 for distribution to nonentitlement units of local government.

“(3) **RULES OF CONSTRUCTION.**—Paragraph (1) shall not be construed as—

“(A) preventing a sub-State governmental entity, including a nonentitlement unit of local government, from notifying the Secretary of the Treasury that the sub-State governmental entity intends to decline all or a portion of the amounts that a State may distribute to the entity from funds appropriated under this title; or

“(B) allowing a State to prohibit or otherwise prevent a sub-State governmental entity from providing such a notice.

“(b) **USE FOR DEFICIT REDUCTION.**—Amounts rescinded under subsection (a) shall be deposited in the general fund of the Treasury for the sole purpose of deficit reduction.

“(c) **STATE OR OTHER GOVERNMENTAL ENTITY DEFINED.**—In this section, the term ‘State, territory, or other governmental entity’ means any entity to which a payment may be made directly to the entity under this title other than a Tribal government, as defined in sections 601(g), 602(g), and 604(d), and an eligible Tribal government, as defined in section 605(f).”.

The PRESIDING OFFICER. The Senator from Illinois.

**UNANIMOUS CONSENT REQUEST—
S. 5276**

Ms. DUCKWORTH. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 5276 and that the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Mississippi.

Mrs. HYDE-SMITH. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Ms. DUCKWORTH. Madam President, my daughter Abigail, my oldest daughter, just turned 8. She is silly and smart and gives the best hugs you could ever imagine. She has big dreams, and if you have ever met her, you just know that she will reach them. She has decided that one day she is going to become an engineer or an Army nurse. She wants to build things, and she wants to help people. That is it.

My younger daughter, Maile Pearl, is 4½, with just about the most contagious laugh I have ever heard.

My girls are my everything, and for them, I would do anything, but Abigail and Maile might never have been born if it were not for the basic reproductive rights Americans have been depending on for nearly half a century. I might never have had my beautiful, incred-

ible, drive-me-crazy, yet-I-love-them-infinitely girls if Roe v. Wade had not paved the way for women to make their own healthcare decisions, as I was only able to get pregnant through IVF, in vitro fertilization.

Because of IVF, I get to experience all the joys and chaos of motherhood. Because of IVF, my husband and I aren't just “Tammy and Bryan”; we are “Mommy and Daddy.” Because of IVF, we are a family, and my heart is whole.

Tragically, that future—that family, that fervently hoped-for dream—is now in danger for millions of would-be parents across the country, as the Supreme Court's decision to overturn Roe has Republicans plotting to push forward new policy that would go even further toward controlling women's bodies, including plans that could effectively ban fertility treatments like IVF.

We know that because they told us, because they said the quiet part out loud. One anti-choice group even admitted to GOP legislators that they would consider figuring out how to go after IVF treatments “next year, 2 years from now, 3 years from now.”

If you are thinking that this makes no sense, you are right. You are not misunderstanding anything. You are not missing something. It is the ultimate nightmarish blend of hypocrisy and misogyny that you think it is.

The very people who claim to be defending family values are actively shouldering policies that would prevent millions of Americans from starting families.

In the most extreme version, they are pushing the kind of so-called personhood bills that paint women undergoing IVF as criminals and our doctors as killers, even as we are trying everything we can to create life.

The thing is, they craft this kind of policy carefully, tactically. They are strategic about every word they use, about every comma they place, winking to their political base all the while.

Their so-called personhood bills don't necessarily say: Guess what, big news. We are going to ban IVF, full stop. What they say is: Hey, we're not completely, totally, fully opposed to IVF, per se. But we definitely won't let you implant multiple fertilized eggs at once. They say: You can have this expensive, intensive procedure still, but you can only implant one embryo at a time—a cruelly clever way of effectively preventing people from trying IVF without actually spelling it out verbatim.

The process relies on implanting multiple embryos at once to give women the best shot of becoming pregnant and carrying a child to term. So implanting only one per round would be prohibitively expensive, not to mention emotionally devastating for so many.

Personhood: This policy could also ban dilation and curettage, or D&C,